

## Introduced by Senator Morrow

February 16, 2005

---

An act to amend Section 378 of the Code of Civil Procedure, relating to permissive joinder.

## LEGISLATIVE COUNSEL'S DIGEST

SB 297, as introduced, Morrow. Actions: permissive joinder.

Existing law provides for the permissive joinder of all persons in one action as plaintiffs under specified circumstances.

This bill would make a technical, nonsubstantive change in that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 378 of the Code of Civil Procedure is  
2     amended to read:  
3     378. (a) All persons may join in one action as plaintiffs if  
4     *either of the following applies:*  
5     (1) They assert any right to relief jointly, severally, or in the  
6     alternative, in respect of or arising out of the same transaction,  
7     occurrence, or series of transactions or occurrences and if any  
8     question of law or fact common to all these persons will arise in  
9     the action;~~or~~.  
10    (2) They have a claim, right, or interest adverse to the  
11    defendant in the property or controversy which is the subject of  
12    the action.  
13    (b) It is not necessary that each plaintiff be interested as to  
14    every cause of action or as to all relief prayed for. Judgment may

- 1 be given for one or more of the plaintiffs according to their
- 2 respective ~~right~~ *rights* to relief.

O